

AMENDED IN SENATE APRIL 19, 2016
AMENDED IN SENATE MARCH 30, 2016

SENATE BILL

No. 1413

Introduced by Senator Leno
(Coauthors: Assembly Members Chiu and Ting)

February 19, 2016

An act to add Part 14 (commencing with Section 53570) to Division 31 of the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 1413, as amended, Leno. School districts: employee housing.

Existing law establishes various housing and home loan programs throughout the state to help low-income families and other specified groups. Existing law authorizes the governing board of any school district, when leasing a building for housing of school district employees, to lease the building for any period they deem necessary.

This bill would authorize a school district to establish and implement programs, as provided, that address the housing needs of teachers and school district employees who face challenges in securing affordable housing.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 **SECTION 1.** (a) *The Legislature finds and declares that the*
- 2 *changes made by this act are necessary in order to provide*
- 3 *affordable housing opportunities to teachers and other school*
- 4 *district employees.*

1 **(b)** *California places a high value on our public education*
2 *system, and the stability of housing for school employees is critical*
3 *to the overall success and stability of each school in California.*

4 **(c)** *The supply of new preschool through grade 12 teachers in*
5 *California has hit a 12-year low, and enrollment in educator*
6 *preparation programs has dropped by more than 70 percent over*
7 *the last decade, and this shortage most impacts schools serving*
8 *more low-income and minority students.*

9 **(d)** *Demand for teachers and staff is projected to grow further*
10 *as school districts continue to recover from the recession and seek*
11 *to replace previously eliminated programs and positions. Districts*
12 *are also coping with attrition, which averages about 8 percent of*
13 *all teachers annually. This attrition includes inevitable retirements,*
14 *as fully one-third of California teachers are over 50 years of age*
15 *and 10 percent are over 60 years of age, but most attrition is due*
16 *to younger teachers leaving.*

17 **(e)** *A growing trend driving teacher turnover is the steadily*
18 *increasing cost of housing in certain markets. In addition to the*
19 *negative emotional and developmental impacts teacher turnover*
20 *has on students, the costs borne by school districts to recruit, hire,*
21 *and train new teachers each summer is immense. In San Francisco*
22 *alone, during the summer of 2015, the school district had to recruit,*
23 *hire, and train 700 new teachers. Many cited housing costs as the*
24 *reason why the teacher was leaving the school district.*

25 **(f)** *Students and the community at large are benefited by teachers*
26 *living in the community in which they practice their profession. It*
27 *ensures stability, community involvement, and stronger ties*
28 *between teachers, their students, and their families.*

29 **(g)** *By creating affordable housing options for teachers near or*
30 *on schoolsites, it also reduces vehicle miles traveled and time away*
31 *from teachers' homes, thereby reducing or eliminating commute*
32 *time.*

33 **SECTION 1.**

34 **SEC. 2.** Part 14 (commencing with Section 53570) is added to
35 Division 31 of the Health and Safety Code, to read:

36
37 **PART 14. TEACHER HOUSING ACT OF 2016**
38

39 53570. This part may be cited as the Teacher Housing Act of
40 2016.

1 53571. (a) The purpose of this article is to facilitate the
2 acquisition, construction, rehabilitation, and preservation of
3 affordable rental housing, for ~~teachers, school district employees,~~
4 ~~and their families~~ *teachers and school district employees* to allow
5 teachers or school district employees to access and maintain
6 housing stability.

7 (b) A program established under this part shall be restricted to
8 “teacher or school district ~~employees” and their families.~~
9 *employees.*”

10 53572. As used in this part:

11 (a) “Affordable rental housing” means a rental housing
12 development, as defined in subdivision (d) of Section 50675.2,
13 ~~with affordable rent, as defined in subdivision (a) of Section~~
14 ~~50675.2,~~ *rents restricted to levels that are affordable to persons*
15 *and families of low or moderate income, as defined in Section*
16 *50093,* but neither definition is restrictive to only projects with
17 five or more units.

18 (b) “Teacher or school district employee” means any person
19 employed by ~~an elementary school district or unified school district,~~
20 ~~maintaining a kindergarten or grades 1 to 8, inclusive, or a high~~
21 ~~school district or unified school district,~~ *a unified school district*
22 *maintaining prekindergarten, transitional kindergarten, and grades*
23 *1 to 12, inclusive, an elementary school district maintaining*
24 *prekindergarten, transitional kindergarten, and grades 1 to 8,*
25 *inclusive, or a high school district maintaining grades 9 to 12,*
26 ~~inclusive.~~ *inclusive, including, but not limited to, certificated and*
27 *classified staff.*

28 53573. A school district may establish and implement programs
29 that address the housing needs of teachers and school district
30 employees who face challenges in securing affordable housing.
31 To the extent feasible, the school district may establish and
32 implement programs that, among other things, do the following:

33 (a) Leverage federal, state, and local public, private, and
34 nonprofit programs and fiscal resources.

35 (b) Promote public and private partnerships.

36 (c) Foster innovative financing opportunities.

37 (d) *Dedicate school district-owned land to the development of*
38 *affordable rental housing and restrict occupancy to teachers and*
39 *school district employees.*

1 53574. *This part specifically creates a state policy supporting*
2 *housing for teachers and school district employees, as described*
3 *in Section 42(g)(9)(B) of the Internal Revenue Code, and, further,*
4 *permits school districts and developers in receipt of local or state*
5 *funds designated for affordable rental housing to restrict*
6 *occupancy to teachers and school district employees on land owned*
7 *by school districts, so long as that housing does not violate any*
8 *other applicable laws.*

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